



PATENT APPLICATION  
DOCKET NO.: 00537/161002 - 051/US/PCT/US

P#15

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TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Anthony Cawthorne et al.

Application No.: 09/423,684

Group Art Unit: 1653

Filed: March 20, 2000

Examiner: Robinson, P.

Title: SOMATOSTATIN AND SOMATOSTATIN AGONISTS FOR DECREASING BODY WEIGHT

**CERTIFICATE OF MAILING**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

Date of Deposit:

4-23-2003  
Alan F. Feeney

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO  
CHARGE DEPOSIT ACCOUNT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or

(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a Petition under 37 CFR 1.97(d)(2), and

a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.

(Filed after payment of issue fee)

Some listed references were cited in Search Reports in a counter part Australian & European applications.

Statement Under 37 CFR 1.97(e)

- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- Enclosed herewith is form PTO-1449, with copies of the references noted thereon; with a Certificate of Mailing.
- Copies of the reference(s) noted on the enclosed form 1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [ ], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

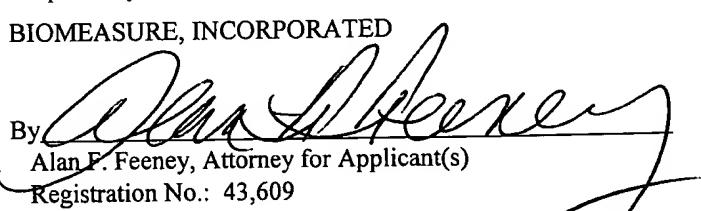
- The "concise explanation" requirement for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
  - the explanation provided on the attached sheet.
  - the explanation provided in the Specification.
  - submission of the enclosed International Search Report.
  - the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Method of payment:

- A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Assistant Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- The Assistant Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,  
BIOMEASURE, INCORPORATED

By   
Alan F. Feeney, Attorney for Applicant(s)  
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Dated: 4-23-2003

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APR 28 2003

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

ATTORNEY DOCKET NO. 00537-161002	APPLICATION NO. 09/423,684
APPLICANT Michael Anthony Cawthorne et al.	
FILING DATE March 20, 2000	GROUP 1653

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JULY 16 2003  
2003  
2003

APR 29 2003

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BA	5,506,339	04/09/96	Coy et al.			
	BB	4,904,642	02/27/90	Coy et al.			
	BC	4,871,717	10/03/89	Coy et al.			
	BD	4,853,371	08/01/89	Coy et al.			
	BE	4,728,638	03/01/88	Bauer et al.			
	BF	4,725,577	02/16/88	Schally et al.			
	BG	4,684,620	08/04/87	Hruby et al.			
	BH	4,650,787	03/17/87	Schally et al.			
	BI	4,603,120	07/29/86	Kamber			
	BJ	4,585,755	04/29/86	Morgan et al.			
	BK	4,522,813	06/11/85	Nutt			
	BL	4,486,415	12/04/84	Freidinger			
	BM	4,485,101	11/27/84	Coy et al.			
	BN	4,435,385	03/06/84	Bauer et al.			
	BO	4,395,403	07/26/83	Bauer et al.			
	BP	4,369,179	01/18/83	Rink et al.			
	BQ	4,360,516	11/23/82	Freidinger et al.			
	BR	4,358,439	11/09/82	Sieber et al.			
	BS	4,328,214	05/04/82	Rink et al.			
	BT	4,316,890	02/23/82	Kamber et al.			
	BU	4,310,518	01/12/82	Freidinger et al.			
	BV	4,291,022	09/22/81	Sandrin et al.			
EXAMINER				DATE CONSIDERED			

PTO-1449 REPRODUCED  
PATENT & TRADEMARK OFFICEINFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

ATTORNEY DOCKET NO. 00537-161002	APPLICATION NO. 09/423, 684
APPLICANT Michael Anthony Cawthorne et al.	
FILING DATE March 20, 2000	GROUP 1653

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES      NO
	BW	EP 0 505 680	09/30/92	European			
	BX	EP 0 389 180	09/26/90	European			RECEIVED
	BY	EP 0 363 589	04/18/90	European			APR 29 2003
	BZ	EP 0 329 295	08/23/89	European			
	BAA	EP 0 203 031	11/26/86	European			
	BBB	FR 2 522 655	09/09/83	France			
	BCC	GB 2 095 261	09/29/82	United Kingdom			
	BDD	WO 97/01579	01/16/97	PCT			
	BEE	WO 91/18016	11/28/91	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BFF	CARRETTA, R. et al., "Reduction of Blood Pressure in Obese Hyperinsulinaemic Hypertensive Patients During Somatostatin Infusion", Journal of Hypertension, 7(6):S196-S197 (1989).
BGG	CLARK, J. A. et al., "Multiple Regions of Ligand Discrimination Revealed by Analysis of Chimeric Parathyroid Hormone 2 (PTH2) and PTH/PTH-Related Peptide (PTHRP) Receptors", Molecular Endocrinology, 12(2):193-206 (1998).
BHH	HUANG, H.-J. et al., "Hyperamylinemia, Hyperinsulinemia, and Insulin Resistance in Genetically Obese LA/N-cp Rats", Supplement to Hypertension, 19(1):I-101-I109 (1992).
BII	LUNETTA, M. et al., "Long-Term Octreotide Treatment Reduced Hyperinsulinemia, Excess Body Weight and Skin Lesions in Severe Obesity With Acanthosis Nigricans", J. Endocrinol. Invest., 19:699-703 (1996).
BJJ	VAN BINST, G. et al., "Backbone Modifications in Somatostatin Analogues: Relation Between Conformation and Activity", Peptide Research, 5(1):8-13 (1992).
BKK	ZAMBONI, M. et al., "Obesity and Regional Body-Fat Distribution in Men: Separate and Joint Relationships to Glucose Tolerance and Plasma Lipoproteins", Am J Clin. Nutrition, 60:682-687 (1994).

EXAMINER

DATE CONSIDERED